



**Minutes  
Town of Lake Park, Florida  
Regular Commission Meeting  
December 6, 2006 7:30 p.m.**

**Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 6, 2006 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Interim Town Manager Cynthia Sementelli, Attorney Thomas Barid, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.

Mayor Castro led the Pledge of Allegiance.

Town Clerk Vivian Mendez performed the Roll Call.

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

Discussion of selection of new town manager moved to be discussed before public and other comments.

**Motion: A motion was made by Commissioner Balius to move discussion of selection of new town manager before public and other comments; Commissioner Carey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

**PRESENTATION:**

Certificate of completion awarded to Commissioner Osterman

Mayor Castro stated that Commissioner Osterman was awarded a Certificate of Completion sponsored by Florida League of Cities, Inc. and the John Scott Daily Institute of Government. He congratulated Commissioner Osterman for her achievement.

**Discussions and Possible Action**

**Selection of new Town Manager**

Mayor Castro gave a brief history of the interview process.

Commissioner Balius stated that Bambi McKibbon-Turner, Personnel Director did an outstanding job in searching for a new town manager.

Bambi McKibbon-Turner, Personnel Director stated that the Commission could choose a new town manager candidate and start negotiations.

Vice-Mayor Daly asked Bambi McKibbon-Turner, Personnel Director if all of the new town manager candidates were willing to reside in the Town.

Bambi McKibbon-Turner, Personnel Director stated that in her discussions with the candidates they all indicated a willingness to reside in the Town. She stated that one candidate stated that they would consider moving to town once they researched the housing market in the Town.

Vice-Mayor Daly stated that on the day of the interviews he was made aware that not all of the candidates were willing to move to the Town of Lake Park.

Commissioner Balius stated that he would not vote for a candidate who was not willing to move to the Town of Lake Park.

Commissioner Osterman agreed with Commissioner Balius that she would not vote for a candidate who was not willing to move into the Town of Lake Park.

Bambi McKibbon-Turner, Personnel Director read the votes from the Commission as follows:

Maria Davis – 4 votes

Mitchell Bobowski – 1 vote

Mayor Castro thanked Mark Kutney who was in the audience, for attending the Commission Meeting. He stated that he voted for Maria Davis because he was impressed with her work for the school district during the time of Hurricane Andrew.

Vice-Mayor Daly stated that he was impressed with Maria Davis and that she was outstanding.

**Motion: A motion was made by Commissioner Osterman to begin town manager contract negotiations with Maria Davis; Commissioner Carey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor			

Castro	X		
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Motion passed 5-0.

Maria Davis thanked the Commission for their vote of confidence.

### **PUBLIC and OTHER COMMENT**

*Edie McConville, 638 W. Kalmia Dr.* – appealed to the Town employees to help the Salvation Army by volunteering at Wal-Mart and ringing the bell to collect funds. She stated that her phone number was 308-1690. She announced that St. John's Church was providing free flu shots for senior citizens on December 14, 2006. She stated that anyone wanting a flu shot can call her at 308-1690 to register.

*Dianne Sophinos, 338 Bayberry Dr.* – thanked the Town for opening Town Hall and the Evergreen House for the Lake Park Historical Society Historical Home Tour. She stated that the tour was very successful and there were approximately 175 guests in attendance. She stated that she received a lot of positive comments. She thanked the Town staff, Public Works, Captain Douglas Reece, Citizens on Patrol and volunteers for their help with the tour. She thanked the residents of the Town of Lake Park for their support.

Commissioner Balius stated that Diane Sophinos did an outstanding job with the Lake Park Historical Society Home Tour.

### **COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

#### **Mayor Castro**

Mayor Castro excused himself from the Commission Meeting at 7:42 pm.

#### **Vice-Mayor Daly**

Vice-Mayor Daly asked Interim Town Manager Cynthia Sementelli to bring back legitimate prices for fencing around the ball field. He stated that the new town manager could review those prices and take action at a later date.

Vice-Mayor Daly stated that there was an issue with dumpsters and trash pick up at his residence. He stated that when a full dumpster is not picked up, it stinks up the whole neighborhood.

Vice-Mayor Daly recommended planting a real Christmas tree at Lake Shore Park. He recommended that it be placed closer to the water for residents to enjoy from the balconies of their homes.

Vice-Mayor Daly stated that the chairman and members of the Planning & Zoning Board were distressed that they were not contacted regarding the alleyway project. He stated that he received three phone calls from the Lake Park Harbor Marina Advisory Board chairman where he expressed concerns over issues at the Marina. He recommended that an item be placed on the agenda for the next Commission Meeting of December 20, 2006 to discuss issues regarding the boards of the Town of Lake Park.

Vice-Mayor Daly asked Patrick Sullivan, Community Development Director if the Planning & Zoning Board was not contacted regarding the alleyway project because it was related to the Park Avenue Downtown District.

#### **Commissioner Balius**

Commissioner Balius stated that he enjoyed the Town of Lake Park Tree Lighting Service. He stated that the line was long at the hot dog stand and suggested two hot dog stands for next year's

service. He stated that Dale Dougherty, Recreation Department Director, did a good job on the Town of Lake Park tree lighting service.

Commissioner Balius stated that three (3) people from Lake Park participated in the West Palm Beach 5K Marathon. He stated that Yasmine Boynton participated and came in 10<sup>th</sup> in the 25 to 29 year old age group. He stated that Yasmine's husband came in 9<sup>th</sup> in the men's group and another woman came in 17<sup>th</sup> overall in the women's group.

Commissioner Balius stated that he needed consensus from the Commission to place a fence around the ball field. He stated that he would like to put out a Request for Proposal to see what the fence would actually cost.

Commissioner Balius stated that he received many complaints about household trash not being picked up after the Thanksgiving holiday.

Commissioner Balius requested the staff to look into prices for a real tree to be placed at Lake Shore Park.

#### **Joseph Kroll, Public Works Director**

Joseph Kroll, Public Works Director stated that the Town advertised in the paper and on Channel 18 that trash would not be picked up during the Thanksgiving Holiday. He stated that it was hard to have employees come in to work the day after Thanksgiving and it was the only four (4) day holiday that the sanitation department receives all year. He stated that the advertisement was made a month in advance.

#### **Commissioner Carey**

Commissioner Carey stated that he received a phone call from a gentleman from the Palm Beach County Sea Scouts requesting use of a boat slip at the Lake Park Harbor Marina. He stated that he told the gentleman he would discuss it with the Commission and work out the details with the Marina Manager. He stated that the Sea Scouts needed that slip for a 35 foot sailboat.

Commissioner Carey suggested that the large ball field be fenced off and leave the other areas of the ball field open.

#### **Commissioner Osterman**

Commissioner Osterman stated that she was in agreement for putting a fence around the ball field. She suggested that the Commission wait on taking any action until the new town manager has settled and has been able to look at the issues that need to be addressed in the town.

Commissioner Osterman thanked the Lake Park Historical Society for the Historical Home Tour. She thanked staff and volunteers for their participation and stated that it was a great event.

Commissioner Osterman stated that there needed to be testing of technology for conference calling her into future Commission meetings since she will not be able to attend the Commission Meetings in January.

Commissioner Osterman stated that she requested costs for the running of the town bus.

Commissioner Osterman recommended that the Commission consider not taking fine grant money.

#### **Interim Town Manager Cynthia Sementelli**

Interim Town Manager Cynthia Sementelli stated that she spoke with the gentleman from the Sea Scouts and that he was going to send her some information to present at the next Commission Meeting of December 20, 2006.

Interim Town Manager Cynthia Sementelli stated that other options could be looked at for picking up trash on the Thanksgiving holiday.

Interim Town Manager Cynthia Sementelli stated that all issues regarding the town bus will be brought to the Commission Meeting of December 20, 2006.



Interim Town Manager Cynthia Sementelli thanked staff for their help on the new town manager interview day.

Interim Town Manager Cynthia Sementelli stated that the Town had taken in a little over one million in fine money. She stated that the fine grant agreement stated that the project should be readily accessible on a non-exclusive basis to the general public without regard to age, sex, race, physical handicap, or other conditions and without regard to residency of the user. She stated that the Resolution on the rental fees would be brought back to the next Commission Meeting of December 20, 2006.

Interim Town Manager Cynthia Sementelli stated that all Park Ave. lighting had been corrected except for the light pole at 4<sup>th</sup> and Park Ave. which would be fixed by Friday. She stated that the lights on Federal Hwy were working and the dead trees at the Lake Park Harbor Marina were replaced.

Interim Town Manager Cynthia Sementelli introduced Nadia DeTamasso who joined staff as a Planner I in the Community Development Department.

Interim Town Manager Cynthia Sementelli stated that residential pick up for trash would take place on the Tuesday after Christmas.

**Attorney Thomas Baird**

None

**Patrick Sullivan, Community Development Director**

Patrick Sullivan, Community Development Director stated that the alleyway project was a municipal project. He stated that he was not sure if the Planning & Zoning Board had reviewed the alleyway project in the past. He stated that it was his understanding that the alleyway project had come before the Commission for review.

**BOARD MEMBERSHIP APPOINTMENT:**

Board application for Planning and Zoning Board

*Mary Taylor, 209 Park Ave.* – introduced herself to the Commission and stated that she had been a resident of the Town of Lake Park since 1975 and was a teacher with the Palm Beach County school district. She stated that she would like to see what was going on with the tree board and felt that the trees of Lake Park could look better.

*Jeremy Penchansky, 518 W. Jasmine Dr.* – stated that aesthetics make a big difference in the town. He stated that he would like to have input in beautifying the town that he loved so much.

The Commission appointed the following persons as members of the Tree Board:

Mary Taylor – regular member

Jeremy Penchansky – regular member

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes of November 15, 2006
2. Special Call Commission Workshop Meeting Minutes of November 18, 2006
3. Resolution 71-12-06 Ball Field Pavilion
4. Authorize Mayor to sign Florida Department of Law Enforcement Grant application (FDLE)

Item #3 Resolution 71-12-06 was pulled from the Consent Agenda for discussion

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Balias to approve items #1, #2, and #4 of the Consent Agenda; Commissioner Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

**RESOLUTION NO. 71-12-06**

**A RESOLUTION BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE CONTRACT WITH BROWNING & BECKER CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION SERVICES TO REBUILD THE PAVILION AT THE 7<sup>TH</sup> STREET BALL FIELD IN THE TOWN OF LAKE PARK, FLORIDA AND**

Commissioner Osterman asked if the Commission wanted to rebuild the same pavilion at the ball field. She asked about size and price of the pavilion.

Joseph Kroll, Public Works Director stated that the pavilion at the ball field would be 5 feet bigger. He stated that it would be constructed of concrete posts instead of wood. He stated that the new pavilion would be 20x35.

Vice-Mayor Daly asked if location of the pavilion should be reviewed by the Commission.

Joseph Kroll, Public Works Director stated that the pavilion would fill a vacant spot on the field where there was a hangout for residents.

**Motion: A motion was made by Commissioner Carey to approve Resolution No. 71-12-06; Commissioner Balias made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		

Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

#### **PUBLIC HEARING(S)**

#### **ORDINANCE ON 1st READING**

#### **ORDINANCE NO. 16-2006 – Electric Substation**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN ZONING CODE, CHAPTER 78, ARTICLE III, TO CREATE NEW CODE SECTION 78-81 TO BE ENTITLED “DISTRIBUTION ELECTRIC SUBSTATION;” IN ORDER TO REGULATE THE DEVELOPMENT OF DISTRIBUTION ELECTRIC SUBSTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

#### **Public Comment Open.**

*None*

#### **Public Comment Closed.**

Interim Town Manager Cynthia Sementelli explained the use of Ordinance 16-2006. She stated that the electric substation must put in a heavier landscaping buffer.

Attorney Thomas Baird read Ordinance No. 16-2006 by caption only.

**Motion: A motion was made by Commissioner Osterman to approve Ordinance No. 16-2006; Commissioner Carey made the second.**

#### **Vote on Motion:**

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

#### **ORDINANCE ON 2<sup>ND</sup> READING**

**ORDINANCE NO. 11-2006 – Business Tax**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCE TO CHANGE THE TERM “OCCUPATIONAL LICENSE(S) TO THE TERM “BUSINESS TAX AND BUSINESS TAX RECEIPT TO CONFORM WITH FLORIDA STATUTORY CHANGES EFFECTIVE JANUARY 2007, AND SPECIFICALLY AMENDING CHAPTER 6, PERTAINING TO ALCOHOLIC BEVERAGES, AMENDING SECTION 6-4 ENTITLED “NUDITY, PARTIAL NUDITY AND SEXUAL CONDUCT PROHIBITED IN ESTABLISHMENTS SELLING, DISTRIBUTING, OR PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES OR IN PRIVATE CLUBS;” AMENDING CHAPTER 8, PERTAINING TO AMUSEMENTS AND ENTERTAINMENT; AMENDING CHAPTER 8, ARTICLE II, SECTION 8-31 ENTITLED “APPLICATION FOR LICENSE, TOWN COMMISSION APPROVAL REQUIRED;” AMENDING SECTION 8-35 ENTITLED “FEE;” AMENDING SECTION 8-37 ENTITLED “REQUIREMENTS FOR EVENTS, RIDES AND MECHANICAL DEVICES;” AMENDING ARTICLE III, SECTION 8-66 ENTITLED DEFINITONS;” AMENDING SECTION 8-96 ENTITLED “ANNUAL LICENSE FEE;” AMENDING SECTION 8-121 ENTITLED “GENERAL REQUIREMENTS FOR ALL ADULT ENTERTAINMENT ESTABLISHMENTS;” AMENDING SECTION 8-127 ENTITLED “ESCORT SERVICES;” AMENDING SECTION 8-159 ENTITLED “FAILURE TO MAINTAIN REQUIRED RECORDS AND LICENSES;” AMENDING SECTION 8-168 ENTITLED “PROHIBITED ACTS BY ESCORT SERVICE WORKERS;” AMENDING CHAPTER 9, PERTAINING TO CODE ENFORCEMENT; AMENDING CHAPTER 9, ARTICLE III SECTION 9-71 ENTITLED “ENFORCEMENT PROCEDURES AND STANDARDS;” AMENDING CHAPTER 18 PERTAINING TO PARKS & RECREATION, AMENDING ARTICLE IV, SECTION 18-124 ENTITLED “PERMIT ISSUANCE;” AMENDING CHAPTER 24, PERTAINING TO SOLID WASTE, AMENDING ARTICLE IV, SECTION 24-112 ENTITLED “FEE DEBT TO TOWN; LATE FEE; ENFORCEMENT;” AMENDING CHAPTER 28, ENTITLED “TAXATION;” AMENDING ARTICLE II, SECTION 28-31 ENTITLED “DEFINITIONS;” AMENDING SECTION 28-32 ENTITLED “REQUIRED; DURATION;” AMENDING SECTION 28-33 ENTITLED “ENGAGING IN BUSINESS WITHOUT LICENSE; OR UPON FALSE REPRESENTATION;” AMENDING SECTION 28-34 ENTITLED “EVIDENCE OF ENGAGING IN BUSINESS;” AMENDING SECTION 38-35 ENTITLED “EXEMPTIONS;” REPEALING SECTION 28-36 ENTITLED “NON-PROFIT ENTERPRISES;” AMENDING SECTION 28-37 ENTITLED “WHEN DUE AND PAYABLE;” AMENDING SECTION 28-38 ENTITLED “DELINQUENCY PENALTY;” AMENDING SECTION 28-39 ENTITLED “PAYMENT OF TANGIBLE PROPERTY TAXES PREREQUISITE TO ISSUANCE;” AMENDING SECTION 28-40 ENTITLED “PARTIAL-YEAR LICENSES;” AMENDING SECTION 28-41 ENTITLED “TRANSFERABILITY;” AMENDING SECTION 28-42 ENTITLED “DUPLICATES;” AMENDING SECTION 28-43 ENTITLED “POSTING;” AMENDING SECTION 28-44 ENTITLED “CARRYING ON



PERSON WHERE NO FIXED PLACE OF BUSINESS MAINTAINED;" AMENDING SECTION 28-45 ENTITLED "REPORTS BY LICENSEES;" AMENDING SECTION 28-46 ENTITLED "SELF CLASSIFICATION OF BUSINESS AS MERCHANT;" AMENDING SECTION 28-47 ENTITLED "PERSONS DOING BOTH WHOLESALE AND RETAIL BUSINESS;" AMENDING SECTION 28-48 ENTITLED "SEPARATE FOR SEPARATE LOCATIONS;" AMENDING SECTION 28-49 ENTITLED "CHAIN STORES;" AMENDING SECTION 28-50 ENTITLED "BASED UPON STOCK OF MERCHANDISE-IN ADDITION TO LICENSE PAID UNDER OTHER CLASSIFICATIONS;" AMENDING SECTION 28-51 ENTITLED "SAME-PROVISIONS INAPPLICABLE TO SALE OF GOLD. ETC.;" AMENDING SECTION 28-52 ENTITLED "BUSINESS WITHIN MORE THAN ONE CLASSIFICATION TO MEET REQUIREMENTS OF EACH;" AMENDING SECTION 28-53 ENTITLED "LIABILITY INSURANCE-REQUIRED;" AMENDING SECTION 28-54 ENTITLED "SAME-EXPIRATION DATE; CANCELLATION;" AMENDING SECTION 28-55 ENTITLED "CERTIFICATES OF OCCUPANCY;" AMENDING SECTION 28-56 ENTITLED "CERTIFICATES OF COMPETENCY;" AMENDING SECTION 28-57 ENTITLED "VENDING AND AMUSEMENT MACHINES;" AMENDING SECTION 28-59 ENTITLED "LICENSE DOES NOT EXEMPT PROPERTY FROM TAXATION;" AMENDING SECTION 28-61 ENTITLED "TERMINATION OF LICENSE IN EVENT OF BANKRUPTCY;" AMENDING SECTION 28-62 ENTITLED "RIGHTS OF COMMISSION UNABRIDGED;" AMENDING SECTION 28-64 ENTITLED "REQUIREMENTS FOR ISSUANCE;" AMENDING SECTION 28-65 ENTITLED "APPLICATION FEE REQUIRED FOR APPLICATIONS AND RENEWALS;" AMENDING SECTION 28-66 ENTITLED "SCHEDULE OF FEES AND REGULATIONS;" AMENDING CHAPTER 36, PERTAINING TO VEHICLES FOR HIRE, AMENDING CHAPTER 36, ARTICLE II, SECTION 36-55 ENTITLED "OCCUPATIONAL LICENSE REQUIRED;" AMENDING ARTICLE III, SECTION 36-102 ENTITLED "APPLICATION; ISSUANCE; OCCUPATIONAL LICENSE REQUIRED;" AMENDING SECTION 36-103 ENTITLED "RENEWAL; DURATION;" AMENDING SECTION 36-106 ENTITLED "SUSPENSION AND REVOCATION;" AMENDING CHAPTER 78 PERTAINING TO ZONING, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 ENTITLED "PARK AVENUE DOWNTOWN DISTRICT;" PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Thomas Baird read Ordinance No. 11-2006 by caption only.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion:** A motion was made by Commissioner Osterman to approve Ordinance 11-2006 upon 2<sup>nd</sup> reading; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

**RESOLUTION NO. 70-11-06 – Inkforce, Calvin Giordano**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CALVIN, GIORDANO & ASSOCIATES, INC., TO CREATE A WORKING DATABASE TO TRACK PROPERTIES IN THE IMPLEMENTATION OF THE TOWN'S SWALE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

Interim Town Manager Cynthia Sementelli explained the need for Inkforce. She stated the Code Compliance needed a database that could be integrated with their department to track properties regarding the trees in the swales ordinance.

John Downs from Calvin Giordano & Associates explained the modules of the Inkforce program and how they could be expanded.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Balias to approve Resolution 70-11-06; Commissioner Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	Absent		

Motion passed 4-0.

**RESOLUTION NO. 72-12-06 – Chief Info Tech Officer**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN CLASSIFICATION AND PAY PLAN TO PROVIDE FOR THE POSITION OF CHIEF INFORMATION TECHNOLOGY OFFICER; PROVIDING FOR THE PUBLICATION OF AN UPDATED CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

Interim Town Manager Cynthia Sementelli explained the need for a Chief Info Tech Officer position.

Commissioner Osterman stated that she was no longer in support of a Chief Info Tech Officer position. She stated that the decision to implement a new position should be given to the new town manager. She stated that she did not know whether or not the position was needed.

Commissioner Balias stated that someone in the Town needed to fill the position of Chief Info Tech Officer. He stated that a lot of people misunderstood the title of Assistant to the Town Manager.

Vice-Mayor Daly stated that the Assistant to the Town Manager position had been confusing for a long time. He stated that he was under the impression that the Assistant would fill in for the town manager when they would be out. He stated that Interim Town Manager Cynthia Sementelli explained to him that the Assistant to the Town manager did not fill in for the Town Manager when they were out. He stated that she also explained that subcontractors who were used in the past for technical work were cut for financial reasons. Vice-Mayor Daly recommended that the new town manager make the decision regarding the Assistant to the Town Manager position.

The Commission came to consensus to defer Resolution No. 72-12-06 to discuss at a later date.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Discussions and Possible Action**

Commissioner Osterman stated that the residency issue for the new town manager was dear to her heart and that she would like to see something in the contract regarding residency.

Vice-Mayor Daly expressed that he did not believe that residency was an issue with the new town manager. He recommended that requirement of residency in the Town of Lake Park be added to the new town manager's contract.

Interim Town Manager Cynthia Sementelli asked the Commission to come to consensus on a salary for the new town manager.

Vice-Mayor Daly stated that the new town manager could let the Commission know what her salary requirements were.

Commissioner Balius recommended a six month performance review for the new town manager. He stated that her salary could be adjusted or changed at that time.

Commissioner Osterman stated that a six month performance review would be needed to be included in the new town manager's contract.

Attorney Thomas Baird stated that changes could be made to the sample of the new town manager's contract.

Vice-Mayor Daly stated that residency requirements should be added to the new town manager contract.

Commissioner Osterman recommended that residency requirements and a six month performance review be added to the new town manager contract.

Commissioner Balius asked for a time frame or requirement for the new town manager to begin working for the Town.

Vice-Mayor Daly asked Interim Town Manager Cynthia Sementelli to meet with Maria Davis to discuss timing for moving into the Town. He asked Interim Town Manager Sementelli to bring back Maria's answers to the next Commission Meeting of December 20, 2006.





## ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balias and seconded by Commissioner Osterman, and by unanimous vote, the meeting adjourned at 8:47 p.m.

  
\_\_\_\_\_  
Mayor Paul Castro

  
\_\_\_\_\_  
Deputy Clerk Jessica Shepherd

  
\_\_\_\_\_  
Town Clerk Vivian Mendez  
  
TOWN OF LAKE PARK  
SEAL  
FLORIDA

Approved on this 20 of December, 2006.

# 2

TOWN OF LAKE PARK  
PUBLIC COMMENT CARD



MEETING DATE: 12/6/06

Cards must be submitted before the item is discussed!!

...Three (3) limit limitation on all comments

Name:

Edie McConville

Address:

638 W Kalmie Dr Lake Park

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

Salvation Army bell ringing

Free Flu Shots - St John's

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

#1

TOWN OF LAKE PARK  
PUBLIC COMMENT CARD



MEETING DATE: 12/6/06

Cards must be submitted before the item is discussed!!

...Three (3) limit limitation on all comments

Name: DIANNE SORHJEN

Address: 338 Bayberry Lane

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

L.P. Historic Home Tour  
Thank you!

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



#3

TOWN OF LAKE PARK  
PUBLIC COMMENT CARD



MEETING DATE: 12/16/06

Cards must be submitted before the item is discussed!!  
\*\*\*Three (3) limit limitation on all comments

Name: Paul Boehm  
Address: 1451 Hesper Blvd LP  
I would like to make comments on the following Agenda Item: Res # 72-12-06 What is this

I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



# BALLOT

BALUS  
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER TREE BOARD.

THE FOLLOWING APPLICANTS HAVE APPLIED FOR TREE BOARD MEMBERSHIP:

## APPOINTMENT FOR REGULAR MEMBERSHIP

Applicant (s): \_\_\_\_\_ Yes \_\_\_\_\_ No

Mary Taylor

✓

\_\_\_\_\_

Jeremy Penchansky

✓

\_\_\_\_\_

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

# BALLOT

Carey  
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER TREE BOARD.

THE FOLLOWING APPLICANTS HAVE APPLIED FOR TREE BOARD MEMBERSHIP:

## APPOINTMENT FOR REGULAR MEMBERSHIP

Applicant (s): \_\_\_\_\_ Yes \_\_\_\_\_ No

Mary Taylor

✓ \_\_\_\_\_

Jeremy Penchansky

✓ \_\_\_\_\_

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

# BALLOT

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER TREE BOARD.

THE FOLLOWING APPLICANTS HAVE APPLIED FOR TREE BOARD MEMBERSHIP:

APPOINTMENT FOR REGULAR MEMBERSHIP

Applicant (s): \_\_\_\_\_ Yes \_\_\_\_\_ No

Mary Taylor

✓ \_\_\_\_\_

Jeremy Penchansky

✓ \_\_\_\_\_

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

# BALLOT

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## MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER TREE BOARD.

THE FOLLOWING APPLICANTS HAVE APPLIED FOR TREE BOARD MEMBERSHIP:

### APPOINTMENT FOR REGULAR MEMBERSHIP

Applicant (s): \_\_\_\_\_ Yes \_\_\_\_\_ No

Mary Taylor

X

\_\_\_\_\_

Jeremy Penchansky

X

\_\_\_\_\_

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED



# BALLOT

  
\_\_\_\_\_  
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE  
MEMBER TREE BOARD.

THE FOLLOWING APPLICANTS HAVE APPLIED  
FOR TREE BOARD MEMBERSHIP:

## APPOINTMENT FOR REGULAR MEMBERSHIP

Applicant (s): \_\_\_\_\_ Yes \_\_\_\_\_ No

Mary Taylor \_\_\_\_\_  \_\_\_\_\_

Jeremy Penchansky \_\_\_\_\_  \_\_\_\_\_

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, December 6, 2006, 7:30 P.M.  
Lake Park Town Hall  
535 Park Avenue

<b>Paul Castro</b>	—	<b>Mayor</b>
<b>Edward Daly</b>	—	<b>Vice-Mayor</b>
<b>G. Chuck Balius</b>	—	<b>Commissioner</b>
<b>Jeff Carey</b>	—	<b>Commissioner</b>
<b>Patricia Osterman</b>	—	<b>Commissioner</b>
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<b>Cynthia Sementelli</b>	—	<b>Interim Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez</b>	—	<b>Town Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

**A. CALL TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

**F. PRESENTATION:**

Certificate of Completion awarded to Commissioner Osterman.

**G. PUBLIC and OTHER COMMENT**

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember, comments are limited to a TOTAL of three minutes.

**H. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:**

- I. Board Membership Applications for the Tree Board:
- J. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located in the rear of the Chambers and give it to the Town Clerk. Cards must be submitted before the item is discussed.

For Approval:

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| 1. Regular Commission Meeting Minutes of November 15, 2006.                                | Tab 1 |
| 2. Special Call Commission Workshop of November 18, 2006.                                  | Tab 2 |
| 3. Resolution No. 71-12-06 Ball Field Pavilion.  | Tab 3 |
| 4. Authorize Mayor to sign Florida Department of Law Enforcement (FDLE) Grant application. | Tab 4 |

K. PUBLIC HEARING(S)

ORDINANCE ON FIRST READING:

5. ORDINANCE NO. 16-2006 Electric Substation.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN ZONING CODE, CHAPTER 78, ARTICLE III, TO CREATE NEW CODE SECTION 78-81 TO BE ENTITLED "DISTRIBUTION ELECTRIC SUBSTATION;" IN ORDER TO REGULATE THE DEVELOPMENT OF DISTRIBUTION ELECTRIC SUBSTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Tab 5

ORDINANCE ON SECOND READING:

6. ORDINANCE NO. 11-2006 Business Tax.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCE TO CHANGE THE TERM "OCCUPATIONAL LICENSE(S) TO THE TERM "BUSINESS TAX AND BUSINESS TAX RECEIPT TO CONFORM WITH FLORIDA STATUTORY CHANGES EFFECTIVE JANUARY 2007, AND SPECIFICALLY AMENDING CHAPTER 6, PERTAINING TO ALCOHOLIC BEVERAGES, AMENDING SECTION 6-4 ENTITLED "NUDITY, PARTIAL NUDITY AND SEXUAL CONDUCT PROHIBITED IN ESTABLISHMENTS SELLING, DISTRIBUTING, OR PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES OR IN PRIVATE CLUBS;" AMENDING CHAPTER 8, PERTAINING TO AMUSEMENTS AND ENTERTAINMENT; AMENDING CHAPTER 8, ARTICLE II, SECTION 8-31 ENTITLED "APPLICATION FOR LICENSE, TOWN COMMISSION APPROVAL REQUIRED;" AMENDING SECTION 8-35 ENTITLED "FEE;" AMENDING SECTION 8-37 ENTITLED "REQUIREMENTS FOR EVENTS, RIDES AND MECHANICAL DEVICES;" AMENDING ARTICLE III, SECTION 8-66 ENTITLED DEFINITIONS;" AMENDING SECTION 8-96 ENTITLED "ANNUAL LICENSE FEE;" AMENDING SECTION 8-121 ENTITLED "GENERAL REQUIREMENTS FOR ALL ADULT ENTERTAINMENT ESTABLISHMENTS;" AMENDING SECTION 8-127 ENTITLED "ESCORT SERVICES;" AMENDING SECTION 8-159 ENTITLED

**“FAILURE TO MAINTAIN REQUIRED RECORDS AND LICENSES;” AMENDING SECTION 8-168 ENTITLED “PROHIBITED ACTS BY ESCORT SERVICE WORKERS;” AMENDING CHAPTER 9, PERTAINING TO CODE ENFORCEMENT; AMENDING CHAPTER 9, ARTICLE III SECTION 9-71 ENTITLED “ENFORCEMENT PROCEDURES AND STANDARDS;” AMENDING CHAPTER 18 PERTAINING TO PARKS & RECREATION, AMENDING ARTICLE IV, SECTION 18-124 ENTITLED “PERMIT ISSUANCE;” AMENDING CHAPTER 24, PERTAINING TO SOLID WASTE, AMENDING ARTICLE IV, SECTION 24-112 ENTITLED “FEE DEBT TO TOWN; LATE FEE; ENFORCEMENT;” AMENDING CHAPTER 28, ENTITLED “TAXATION;” AMENDING ARTICLE II, SECTION 28-31 ENTITLED “DEFINITIONS;” AMENDING SECTION 28-32 ENTITLED “REQUIRED; DURATION;” AMENDING SECTION 28-33 ENTITLED “ENGAGING IN BUSINESS WITHOUT LICENSE; OR UPON FALSE REPRESENTATION;” AMENDING SECTION 28-34 ENTITLED “EVIDENCE OF ENGAGING IN BUSINESS;” AMENDING SECTION 28-35 ENTITLED “EXEMPTIONS;” REPEALING SECTION 28-36 ENTITLED “NON-PROFIT ENTERPRISES;” AMENDING SECTION 28-37 ENTITLED “WHEN DUE AND PAYABLE;” AMENDING SECTION 28-38 ENTITLED “DELINQUENCY PENALTY;” AMENDING SECTION 28-39 ENTITLED “PAYMENT OF TANGIBLE PROPERTY TAXES PREREQUISITE TO ISSUANCE;” AMENDING SECTION 28-40 ENTITLED “PARTIAL-YEAR LICENSES;” AMENDING SECTION 28-41 ENTITLED “TRANSFERABILITY;” AMENDING SECTION 28-42 ENTITLED “DUPLICATES;” AMENDING SECTION 28-43 ENTITLED “POSTING;” AMENDING SECTION 28-44 ENTITLED “CARRYING ON PERSON WHERE NO FIXED PLACE OF BUSINESS MAINTAINED;” AMENDING SECTION 28-45 ENTITLED “REPORTS BY LICENSEES;” AMENDING SECTION 28-46 ENTITLED “SELF CLASSIFICATION OF BUSINESS AS MERCHANT;” AMENDING SECTION 28-47 ENTITLED “PERSONS DOING BOTH WHOLESALE AND RETAIL BUSINESS;” AMENDING SECTION 28-48 ENTITLED “SEPARATE FOR SEPARATE LOCATIONS;” AMENDING SECTION 28-49 ENTITLED “CHAIN STORES;” AMENDING SECTION 28-50 ENTITLED “BASED UPON STOCK OF MERCHANDISE-IN ADDITION TO LICENSE PAID UNDER OTHER CLASSIFICATIONS;” AMENDING SECTION 28-51 ENTITLED “SAME-PROVISIONS INAPPLICABLE TO SALE OF GOLD, ETC.;” AMENDING SECTION 28-52 ENTITLED “BUSINESS WITHIN MORE THAN ONE CLASSIFICATION TO MEET REQUIREMENTS OF EACH;” AMENDING SECTION 28-53 ENTITLED “LIABILITY INSURANCE-REQUIRED;” AMENDING SECTION 28-54 ENTITLED “SAME-EXPIRATION DATE; CANCELLATION;” AMENDING SECTION 28-55 ENTITLED “CERTIFICATES OF OCCUPANCY;” AMENDING SECTION 28-56 ENTITLED “CERTIFICATES OF COMPETENCY;” AMENDING SECTION 28-57 ENTITLED “VENDING AND AMUSEMENT MACHINES;” AMENDING SECTION 28-59 ENTITLED “LICENSE DOES NOT EXEMPT PROPERTY FROM TAXATION;” AMENDING SECTION 28-61 ENTITLED “TERMINATION OF LICENSE IN EVENT OF BANKRUPTCY;” AMENDING SECTION 28-62 ENTITLED “RIGHTS OF COMMISSION UNABRIDGED;” AMENDING SECTION 28-64 ENTITLED “REQUIREMENTS FOR ISSUANCE;” AMENDING SECTION 28-65 ENTITLED “APPLICATION FEE REQUIRED FOR APPLICATIONS AND RENEWALS;” AMENDING SECTION 28-66 ENTITLED “SCHEDULE OF FEES AND REGULATIONS;” AMENDING CHAPTER 36, PERTAINING TO**



VEHICLES FOR HIRE, AMENDING CHAPTER 36, ARTICLE II, SECTION 36-55 ENTITLED "OCCUPATIONAL LICENSE REQUIRED;" AMENDING ARTICLE III, SECTION 36-102 ENTITLED "APPLICATION; ISSUANCE; OCCUPATIONAL LICENSE REQUIRED;" AMENDING SECTION 36-103 ENTITLED "RENEWAL; DURATION;" AMENDING SECTION 36-106 ENTITLED "SUSPENSION AND REVOCATION;" AMENDING CHAPTER 78 PERTAINING TO ZONING, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 ENTITLED "PARK AVENUE DOWNTOWN DISTRICT;" PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Tab6

**L. RESOLUTION(S)**

**7. RESOLUTION NO. 70-11-06 Inkforce.**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CALVIN, GIORDANO & ASSOCIATES, INC., TO CREATE A WORKING DATABASE TO TRACK PROPERTIES IN THE IMPLEMENTATION OF THE TOWN'S SWALE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Tab 7

**8. RESOLUTION NO. 72-12-06 Chief Information Technology Officer.**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN CLASSIFICATION AND PAY PLAN TO PROVIDE FOR THE POSITION OF CHIEF INFORMATION TECHNOLOGY OFFICER; PROVIDING FOR THE PUBLICATION OF AN UPDATED CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE.

Tab8

**M. DISCUSSION AND POSSIBLE ACTION:**

**9. Selection of new Town Manager.**

Tab9

**N. ADJOURNMENT:**